

ORDINANCE 3 -95

AN ORDINANCE TO REGULATE FENCES IN COUNTY RIGHTS-OF-WAY NEAR BRIDGES FOR THE MUTUAL CONVENIENCE OF THE LANDOWNER, THE PUBLIC, AND MADISON COUNTY AND PROVIDING A PENALTY FOR VIOLATION.

WHEREAS County Road rights-of-way are sixty (60) feet wide by law and

WHEREAS it would be inconvenient for landowners to construct fences completely across water courses and also inconvenient for the public to obtain access to public waters under such circumstances and

WHEREAS Madison County must have reasonable access to its bridges for maintenance and inspection

NOW THEREFORE be it ordained as follows:

1. Landowners may construct fences in County Road rights-of-way at the ends of bridges and may attach such fences to bridges provided that:

a. Such fences shall be utilized to control stock only and shall not be designed to hamper human activity.

b. Such fence shall be as nearly as practicable perpendicular to the existing right-of-way fence line.

c. There shall be constructed in each such fence an unlocked gate which shall be the lesser of eight (8) feet wide or the total distance between the right-of-way fence line and the end of the bridge railing.

d. Such fences shall not be posted to suggest that the public or Madison County may not fully utilize the full width of the County right-of-way.

e. Such fences shall not obstruct nor have improvements placed in the right-of-way by Madison County.

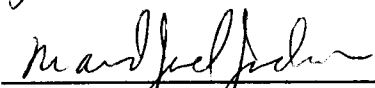
2. Any violation of this Ordinance shall be a public nuisance and, in any event, may be abated in the manner provided by law for abatement of public nuisances.

3. Any person guilty of violating this ordinance shall be punished by a fine of not more than \$500.00 or a jail sentence of not more than six (6) months or by both such fine and imprisonment or by such conditions as the Court within its authority may impose.

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS OF
MADISON COUNTY, MONTANA, ON FIRST READING THIS 11 DAY OF
SEPTEMBER 1995.



JOHN ALLHANDS, CHAIRMAN




WARD J. JACKSON, COMMISSIONER




C. TED COFFMAN, COMMISSIONER

PASSED AND APPROVED BY THE BOARD OF COUNTY COMMISSIONERS FOR
MADISON COUNTY, MONTANA, SECOND READING THIS 25 DAY OF SEPTEMBER,
1995.



JOHN ALLHANDS, CHAIRMAN



WARD J. JACKSON, COMMISSIONER



C. TED COFFMAN, COMMISSIONER

ORDINANCE 3-95

MADISON COUNTY
BOARD OF COMMISSIONERS

AN ORDINANCE TO REGULATE FENCES
IN COUNTY R/W NEAR BRIDGES ETC.

RECORDER'S OFFICE }
Madison County, Montana } ss.

FILED SEPTEMBER 28th 19 1995
10:15 o'clock A.m.

Greg Probst
County Recorder

BY _____ Deputy
Fee \$ NONE

*Submitted to Refiled to
#65553 RLS 5-97
3-28-97*